

CALIFORNIA CODES
GOVERNMENT CODE
§83114.1 et seq.

§83114.1

This article may be cited and shall be known as the Government Code section 1090 Pilot Project to Enhance Compliance with the Ban on Public Officials Having a Financial Interest in Public Contracts.

§83114.2.

The Fair Political Practices Commission shall be the state agency responsible for implementing the Government Code section 1090 Pilot Project to Enhance Compliance with the Ban on Public Officials Having a Financial Interest in Public Contracts.

§83114.3.

(a) During the pilot period, the Commission will have limited jurisdiction over Government Code section 1090, 1091, 1091.1, 1091.2, 1091.3, 1091.4, and 1091.5. In addition to the authority granted to the Commission under section 83114, the Commission shall have the authority to provide written opinions on the application of Government Code section 1090, 1091, 1091.1, 1091.2, 1091.3, 1091.4, and 1091.5 to public officials as follows:

(1) Any person may request the Commission to issue an opinion with respect to his duties under section 1090, 1091, 1091.1, 1091.2, 1091.3, 1091.4, and 1091.5;

(2) The Commission shall, within 14 days, either issue the opinion or advise the person who made the request whether an opinion will be issued;

(3) The Commission will forward a copy of the opinion request to the Attorney General's office, the local district attorney and local or agency legal counsel for consultation prior to proceeding with a draft opinion;

(4) The opinion, when issued shall be evidence of good faith conduct in any civil proceeding, if the requester disclosed truthfully all the material facts, and committed the acts complained of in reliance on the advice. The Commission's opinions shall be public records and may from time to time be published;

(5) The Commission shall have no enforcement authority under the pilot project.

§83114.4.

(a) Funding for the Pilot Project shall be provided in the 2005-06 Budget Act. The Commission shall be given sufficient additional funding to deal with the increased workload (including the educational component). The Pilot Project shall begin on January 1, 2006.

(b) No local jurisdiction shall be required to participate in the pilot project. This article shall have no fiscal impact on any local jurisdiction.

§83114.5.

This article shall become inoperative on July 31, 2009, and, as of January 1, 2010, is repealed, unless a later enacted statute that is enacted before January 1, 2009, deletes or extends the dates on which it becomes inoperative and is repealed.